

FILED  
Clerk  
District Court

SEP. 24 2007

IN THE  
UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

JOHN S. PANGELINAN  
Plaintiff,

Civil Action No. 07-0025

v.

NOTICE OF APPEAL

UNITED STATES OF AMERICA  
Defendant.

Notice is hereby given that John S. Pangelinan, plaintiff in the above named case, hereby appeals to the United States Court of Appeals for the Ninth Circuit (at San Francisco, California) from the Order Denying Motion Under 28 U.S.C. § 2255, dated July 27, 2007, and filed with the district court also on July 27, 2007, and, further hereby appeals to the same court from the Order Denying Motion For Reconsideration, dated August 15, 2007, and filed with the district court also on August 15, 2007. This notice is timely filed pursuant to the FRAP rules.

Plaintiff Pangelinan "was determined to be financially unable to obtain an adequate defense in a case" in U.S.A. v. Pangelinan, Criminal Action No. 06-00012, U.S. District Court for the Northern Mariana Islands (U.S.A. v. Pangelinan, Docket No. 07-10032, U.S. Court of Appeals for the Ninth Circuit), pursuant to FRAP 24(a)(3)(A). Thus, Plaintiff Pangelinan is not required to pay the required appeal, filing and docketing fees. See, Circuit Rule 3-1.

Pursuant to FRAP 4(c)(1) and Rule 3(2), Rules governing Section 2255 Proceedings for The United States District Courts, Plaintiff Pangelinan declares under penalty of perjury under 28 U.S.C. § 1746 that this notice is deposited in the FDC Seatac, Federal Detention Center, mailing system on this 13<sup>th</sup> day of September, 2007, for mailing to the district court, first-class postage prepaid. Plaintiff Pangelinan's present incarceration is in the FDC Seatac, Seattle (Seatac), State of Washington.

Dated this 13<sup>th</sup> day of September, 2007.

J.P.L.  
John S. Pangelinan, Plaintiff

John S. Pangelinan  
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